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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRUSTEES OF THE TEAMSTERS
LOCAL 631 SECURITY FUND FOR
SOUTHERN NEVADA,

Plaintiffs,

vs.

ZENITH LABORNET, INC., a Georgia
corporation; and HANOVER INSURANCE
COMPANY,

Defendants.

Case No. 2:09-cv-02354-RLH-RJJ

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs, the Trustees of the Teamsters Local 631 Security Fund for Southern Nevada ("Security Fund"), hereby dismiss this action against Defendants Zenith Labornet, Inc. and Hanover Insurance Company without prejudice. The parties have settled the claims in this action. This dismissal is not in the form of a stipulation because Zenith Labornet's counsel, unfortunately, passed away and Zenith Labornet is

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1 currently without counsel through which it may appear in this action (corporations may not
2 appear “pro se”).

3 Dated: October 7, 2010.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

4 /s/ Dana Krulewitz

5 Adam P. Segal, Esq., Nevada Bar No. 6120
6 Dana B. Krulewitz, Esq., Nevada Bar No. 11180
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11 Attorneys for Plaintiffs

12 **IT IS SO ORDERED.**

13 
14 **CHIEF UNITED STATES DISTRICT JUDGE**

15 **DATED: November 1, 2010**

BROWNSTEIN HYATT FARBER SCHRECK, LLP
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CERTIFICATE OF SERVICE

I am employed by the law firm of Brownstein Hyatt Farber Schreck, LLP in Clark County. I am over the age of 18 and not a party to this action. My business address is 100 North City Parkway, Suite 1600, Las Vegas, Nevada 89106-4614.

On October 7, 2010, I served the document(s), described as:

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

☒ by placing the ☐ original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

Zenith Labornet, Inc.
Perry D. Shupe
2535 Royal Place
Tucker, Georgia 30084
pshupe@zenithlabornet.com

Law Offices of Corby Arnold, Esq.
2965 South Jones Blvd., Suite A
Las Vegas, Nevada 89146
Attorneys for Zenith Labornet and Hanover Insurance Company

☒ a. **ECF System** (You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary)

☒ b. **BY U.S. MAIL.** I deposited such envelope in the mail at Las Vegas, Nevada. The envelope(s) were mailed with postage thereon fully prepaid. I am readily familiar with Brownstein Hyatt Farber Schreck, LLP's practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

☐ c. **BY PERSONAL SERVICE.**

☐ d. **BY DIRECT EMAIL**

☐ e. **BY FACSIMILE TRANSMISSION**

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Ebony Davis

An employee of Brownstein Hyatt Farber Schreck, LLP

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